

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Thursday, December 13, 2006 at 6:00pm with Council President Chris Sturbaum presiding over a Special Session of the Common Council.

COMMON COUNCIL
SPECIAL SESSION
December 13, 2006

Clerk's Note: On November 27, 2006, the Common Council called to order a Special Session, which began the Council's consideration of Ordinance 06-24 to be completed over a series of meetings. Please refer to the minutes from that meeting for a description of the motion made in regard to the consideration of Ordinance 06-24.

Roll Call: Wisler, Diekoff, Rollo (arrived late), Sturbaum, Ruff, Sabbagh, Volan
Absent: Gaal, Mayer

ROLL CALL
[6:01pm]

Council President Chris Sturbaum gave a summary of the agenda.

AGENDA SUMMATION [6:03pm]

It was moved and seconded to adopt the amended agenda. The motion was approved by voice vote.

Vote on Amended Agenda
[6:04pm]

It was moved and seconded to adopt Amendment 21.

CONTINUED CONSIDERATION
OF AMENDMENTS

Volan stated that the term "alternative transportation" implied that pedestrians, public transit riders, and cyclists were somehow not equal to automobile drivers. It suggested that those forms of transportation were secondary to cars. He believed that changing the terminology would reduce the use of cars as the primary form of transportation for Bloomington citizens. He said he heard two objections about changing the terminology. The first was that it was a pain to change. The second was that it might eliminate certain types of funding Bloomington received for using the term. He said that Tom Micuda, Planning Director, assured him the funding issue was not a problem.

Amendment 21 [6:05pm]

Micuda said that it was a non-regulatory amendment. He said he did a google search for alternative transportation and traditional transportation. He said that alternative transportation received far more hits than traditional transportation. His only concern was that alternative transportation was the preferred term for those types of transportation in the trade. He said he would prefer this amendment not be adopted but he understood why it was being brought forward.

Rollo asked Volan if he was suggesting that the Council purge the term alternative transportation entirely from the Unified Development Ordinance (UDO) and replace it with traditional transportation. He said that he was concerned about what would happen when someone would search via the web about alternative transportation, as people commonly did.

Council Questions:

Volan said that his intent was not to confuse the issue but to simply use the right nomenclature. He said he would support a friendly amendment to change the amendment to read "traditional transportation, formerly known as alternative transportation" in key spots of the UDO.

Rollo asked Micuda to comment on this.

Amendment 21 (cont'd)

Micuda said that it could be handled in a chapter heading and in the definitions section. He would not recommend putting the phrase throughout the text.

Diekhoff asked how long the original term had been used.

Micuda said he was sure it had been the most commonly-used term for non-automotive transportation for the last eight to ten years.

Wisler asked if the term was intended to refer to any and all transportation that was not motorized vehicles.

Micuda listed several definitions that described different types of transportation in the UDO that were listed as alternative transportation.

Wisler asked if those terms under alternative transportation referred to walking, cycling, and riding the bus.

Micuda said yes.

Wisler thought that riding the bus and light rail were not traditional transportation and thought that down the road there would be issues with Volan's term.

Jim Rosenbarger, Bicycle and Pedestrian Commission member, said he appreciated the amendment. He preferred to use specific terms for each kind of transportation. He agreed that the term alternative transportation made users of those kinds of transportation feel secondary.

Public Comment:

Buff Brown also said he appreciated the amendment. He said he would like the term to be changed to preferred transportation.

Amy Enman said the amendment was a progressive step forward.

Eve Corrigan said she agreed with Enman and Brown.

Steve Forest supported the amendment. He talked about rail and bus transportation. He mentioned horse-drawn busses.

Rollo thought that it was an important amendment. He agreed with Volan that the nomenclature of the UDO mattered. He talked about reduction of oil use. He struggled with the term traditional versus alternative and thought including both would create an oxymoron. He said that communities needed to share terms and that there was a historical value in the term alternative transportation. He was going to vote no on the amendment but he would like to keep looking at the topic and see if better terminology could be found.

Council Comments:

Diekhoff said he appreciated the amendment but he thought that it would make the UDO more confusing. He felt it would jeopardize grant funding.

Wisler echoed Diekhoff. He was concerned that traditional transportation was not the right term.

Ruff agreed with the public comment that the term should be preferred transportation. He agreed with the previous comments by the Council regarding the term traditional transportation. Although he thought it was not the best term, he agreed it was a good starting point and said he would support the amendment.

Amendment 21 (cont'd)

Sturbaum said he liked the notion of the amendment but he thought the term was confusing. He told the supporters of the term to use it as an educational measure. He said he was not going to support the amendment.

Volan said there was no potential for grant funding to be threatened. He realized the amendment was not going to pass but urged the Council to consider his idea and the public supporters the next time the Council decided to subsidize cars. He then listed all the ways he believed Bloomington subsidized cars.

The motion to adopt Amendment 21 received a roll call vote of Ayes: 2 (Ruff, Volan), Nays: 5, Abstain: 0. FAILED.

Vote on Amendment 21
[6:45pm]

Sturbaum allowed Volan to speak about why he was not going to introduce Amendment 18 and Amendment 19.

Amendment 18 and Amendment 19

Volan said the amendments would introduce a maximum cap on parking throughout the city. He said the amendments needed to be part of a larger package of legislation to improve parking in Bloomington. He suggested introducing a shuttle, creating more covered bike parking, and introducing parking cash-out, which would involve giving raises to employees and charging them to park. He said that there needed to be a comprehensive plan for parking. He then talked about the Walker parking study, which was upcoming. He said he was not going to introduce the amendments because it was not the right time and apologized to any public members who came to speak on behalf of his parking-related amendments.

It was moved and seconded that Amendment 11a be adopted.

Amendment 11a [6:53pm]

Wisler explained his revised amendment. The update required that a convenience store with gas offer alternative fuel at 50% of its pumps, thus creating a "clean" gas station.

Micuda said that the goal he had in working with Wisler was to define "clean" gas station, which allowed them to update the amendment to require 50% of pumps offer alternative fuel. He said that all issues regarding design of the stations had been dealt with and staff was comfortable with the amendment.

Rollo asked about ethanol and how it was reflected in the definition.

Council Questions:

Micuda said that his research did not cover how much of ethanol was a blend. He said that a friendly amendment could be introduced to deal with ethanol blends.

Wisler asked Rollo if his concern was that someone would offer a 5% ethanol blend.

Rollo said yes.

Wisler said he would be willing to accept a friendly amendment to make the amendment say "majority ethanol blend." Rollo said he would accept that and introduced it as a friendly amendment.

Amendment 11a [cont'd]

It was moved and seconded to introduce Amendment 01 to Amendment 11a.

Amendment 01 to Amendment 11a

Wisler asked if pure ethanol was now under question.

Micuda said certainly not in his opinion. Everyone agreed that 100% ethanol was a majority and would not be affected by the friendly amendment.

There was no public comment.

Public Comment:

Micuda thanked Wisler for letting him collaborate on the amendment. He said he enjoyed researching the field of alternative energy and that Bloomington was on the cutting edge with the idea.

Council Comments:

The motion to adopt the Amendment 01 to Amendment 11a received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.

Vote on Amendment 01 to Amendment 11a [7:02pm]

Sturbaum invited Council questions on the amendment itself now that it was amended.

Council Questions:

Rollo asked Micuda if he had found other communities that already employed something like Wisler's amendment to the UDO.

Micuda said he did not find any ordinances but what he did find was an alternative fuel station locator and articles about communities thinking about the idea. He said Bloomington was out in front in terms of the ordinance.

Sturbaum confirmed with Micuda that the requirement for the stations existing in the Business Park was that they offer alternative fuel at 50% of their stations.

Micuda said yes.

The motion to adopt Amendment 11a as amended received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.

Vote on Amendment 11a as amended [7:04pm]

Sturbaum said that Amendment 29 would be on the agenda for December 14, 2006.

COUNCIL SCHEDULE

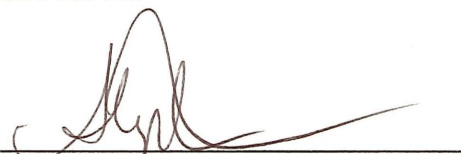
The meeting went into recess at 7:30pm.

RECESS

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this 5th day of February, 2020.

APPROVE:

ATTEST:



Steve Volan, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington